

REMARKS

Claims 1, 6-8, 11, 13, 16, 17, 20, 22 and 23 are amended. The amendments to these claims are for clarification purposes only and not intended to limit the scope of these claims in any way. Claims 1-23 are pending.

Claim 23 is objected to as including informalities. This claim is amended in light of the remarks in the Office Action. Reconsideration of the objection to claim 23 is respectfully requested.

Claims 1, 16, 17, 22 and 23 are rejected under 35 U.S.C. §112 as being indefinite. These claims are amended in light of the remarks in the Office Action. Reconsideration of the rejection of claims 1, 16, 17, 22 and 23 under 35 U.S.C. §112 is respectfully requested.

Claims 22 and 23 are rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent 6,701,317 to Weiner et al. (“Weiner”). Claim 22 recites assigning a country tag based on inlinking hosts from country code top-level domains. Similarly, claim 23 recites assigning a country tag based on inlinking hosts from a country code up-level domain, non-global unique inlinking hosts, and inlinking hosts from a particular country.

The Office Action points to column 13, lines 6-17; column 14, lines 6-15 and lines 26-33; and column 8, lines 48-65 as showing the above limitations. The Weiner reference discloses a technique for “coordinating information pertaining to the connectivity of Web pages. . . .” see, e.g., Weiner, Column 1, lines 29-30. The sections of Weiner referenced by the Office Action relate to the construction of a database to provide such connectivity information. Consequently, in Weiner, there is no discussion of assigning a country tag, nor is there any discussion of assigning a country tag based on country-code top level domains, non-global unique inlinking hosts, or inlinking hosts from a particular country – as is claimed in independent claims 22 and

23. As such, it is asserted that claims 22 and 23 are patentable over Weiner and reconsideration of the rejection of claims 22 and 23 under 35 U.S.C. §102 is respectfully requested.

Claims 1-10, 12-16 and 19-21 are rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent 6,526,426 to Lakritz ("Lakritz") in view of Weiner. The Office Action admits that Lakritz does not show all of the limitations of independent claim 1 and points to Weiner as showing these remaining limitations. However, Weiner may not be used as a reference for a rejection based on 35 U.S.C. §103 as Weiner issued after the present application was filed, Weiner only qualifies as prior art to this application under 35 U.S.C. §102(e). As stated in 35 U.S.C. §103(c), a reference that is prior art under only 102(e) may not be used as a reference in an obviousness rejection based on 35 U.S.C. §103(a) if the subject matter in the reference and the claimed invention were under an obligation to be assigned to the same entity at the time that the invention was made. 35 U.S.C. §103(c). Weiner and the present application are assigned to Overture Services, Inc. For the Examiner's convenience, a copy of the Notice of Recordation of Assignment Document is attached hereto. Therefore, as Weiner is not valid prior art for an obviousness rejection under 35 U.S.C. §103(a), and the Office Action admits that independent claim 1, and consequently dependent claims 2-10, 12-16 and 19-21 include limitations which are not shown in Lakritz alone, it is asserted that claims 1-10, 12-16 and 19-21 include patentable subject matter.

Claims 11, 17 and 18 are rejected under 35 U.S.C. §103 as being unpatentable over Lakritz in view of Weiner and further in view of U.S. Patent 6,285,999 to Page. As discussed above, Weiner is not a valid reference for a rejection based on 35 U.S.C. §103. Page is not cited to disclose, and does not appear to disclose the limitations admitted to be missing from Lakritz. Therefore, it is asserted that claims 11, 17 and 18 include patentable subject matter.

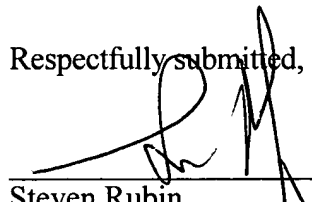
Reconsideration of the rejection of claims 1-21 under 35 U.S.C. §103 is therefore respectfully requested in light of the remarks above.

The Examiner is kindly invited to contact the Applicants' undersigned representative to expedite prosecution.

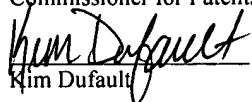
The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 02-4270.

Dated: 11/11/05

Respectfully submitted,


Steven Rubin
Reg. No. 43,063
BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
900 Third Avenue
New York, New York 10022
Tel : (212) 895-2000
Fax: (212) 895-2900

I hereby certify that the correspondence attached herewith is being deposited this date with the U.S. Postal Service as First Class Mail with sufficient postage addressed to Mail Stop: Amendments, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.


Kim Dufault

11-11-05
Date